

REMARKS/ARGUMENTS

Claims 3-5, 8, 13, 15, 19, 41-43 and 45 are pending in this application. Claims 3-5, 13, 15, 19 and 41 stand rejected. Claims 8, 42-43 and 45 are objected to, but are deemed allowable if rewritten in independent form, as discussed below.

The undersigned appreciates the Examiner's explanation and comments on page 2 of the Office Action, regarding Applicant's canceled claims, and the change in search strategy for the remaining pending claims. The Examiner commented on claims related to aluminizing compositions which contained siloxanes and/or silicone resins. While such claims had been canceled previously to advance the present case, Applicant continues to maintain that they were patentable over cited references like the Moravek patent. However, those issues are moot at this time.

Claim 8 has been rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. It is the Examiner's position that stating that the epoxy resin "comprises" bisphenol A is imprecise. Although Applicant believes that a resin of this type can be said to "contain" bisphenol A, or at least contain the "chemical residue" of bisphenol A, the Examiner's point is well-taken, and alternative language has been incorporated, pursuant to the Examiner's suggestion. The only additional point Applicant would like to make for the record involves the optional inclusion of multiple resins. In other words, it is Applicant's intent that this change should still preserve the original meaning of the claim, i.e., that the composition can contain one or more epoxy resins (see claim 41); and it is not necessary that each resin be derived from bisphenol A.

Claims 4-5, 15, 19 and 41 are now rejected under 35 U.S.C. 102(b), as being anticipated by a new reference, Yoshida et al, U.S. Patent 6,362,434 ("Yoshida"). The patent describes magnetic prepreg materials formed by impregnating a magnetic paint and a thermosetting resin into a glass cloth. The impregnated material can be dried and further cured; and a desired magnetic

alignment can be obtained in the material. Printed circuit boards formed from the magnetic prepegs are also described. (See column 2, line 65 to column 3, line 21).

In the process described in Yoshida, magnetic particles are combined with glass cloth and a thermosetting resin. The resin can be formed from a variety of materials, such as polyurethanes, phenols, amides, and epoxy compositions. The magnetic powder itself can be formed of an iron-aluminum-silicon alloy. (See column 3, lines 50-58; and column 4, Table 1).

Obviousness is not the issue for this particular rejection. However, it should be noted that the compositions of Yoshida, and the situations in which those compositions are used, has nothing to do with an aluminizing process, and never suggests the present invention.

More to the point, the undersigned respectfully submits that anticipation based on this reference is a difficult proposition as well. The present invention requires the presence of an aluminum-silicon alloy. In contrast, Yoshida requires the use of an iron-aluminum-silicon alloy. Despite the common elements in each alloy, they are completely different from each other, as “whole alloys”. Clearly, the Yoshida alloy is a magnetic material, designed for magnetic prepegs, and most certainly is dominated by the magnetic element iron. While some embodiments of the present invention may contain iron (see claim 15), the alloy material would not be characterized as “magnetic”. Moreover, it is clear that Applicant’s alloy powders are dominated by aluminum, as noted in paragraph 19 of the specification. It would thus appear that considerable strain would have to be undertaken to equate the composition of Table 1 of Yoshida with Applicant’s claimed invention.

Claims 3-5, 13, 15, 19 and 41 have been rejected under 35 U.S.C. 103(a) as being unpatentable over JP 5-255517 (‘517). This reference (viewed by way of an English abstract and a machine-translation provided by the Patent Office) relates to electroconductive resins. The resins are used for molding tools and heat-resistant parts. It appears that the compositions contain 25-60 wt % of an aluminum alloy powder, along with a synthetic resin and another metal powder which has a specified electric resistance. (See the primary Abstract). The

reference also discloses aluminum-silicon alloys (see paragraph 15), as well as the use of thermosetting epoxy resins (paragraph 34). The Examiner notes that the aluminum content of at least some alloys covered by the reference (Al-Si-Cu) appear to have aluminum levels below that claimed by Applicant (claim 13).

Applicant submits that the '517 reference does not disclose a specific aluminizing composition which comprises an alloy of aluminum and silicon, along with at least one epoxy resin. While the Examiner may contend that the "aluminizing" aspect of the present invention does not serve to limit the claim features, this portion of the claim is important in this instance. For example, there is no indication that the composition in the reference has the characteristics required for aluminizing.

Moreover, the '517 reference – in teachings or objectives - has nothing to do with the present invention. The reference (as far as can be determined from the machine translation) is only concerned with electroconductive resin parts, and is directed simply to a molding composition. Nothing in '517 would ever suggest the aluminizing compositions of the present invention, or the application of such alloys to a substrate for substrate-treatment purposes. Thus, Applicant submits that the cited reference does not render the claims obvious.

While Applicant maintains that the claims are patentable over the references, several amendments have been made to advance prosecution. In brief, all of the claims have been made dependent from claim 41. In turn, claim 41 has effectively replaced claim 42 (which was deemed allowable), by incorporating its limitations. Any other changes (e.g., to cover the presence of a "substrate") should be readily understandable from a review of the claims-section of this Response.

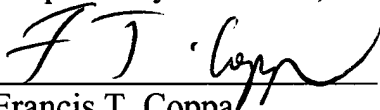
The undersigned also notes the Examiner's comment on page 5, regarding other references which may disclose compositions containing epoxy resins and aluminum-silicon alloys. JP 2001-035973 was provided as an example. While that reference is not specifically being applied in this instance, Applicant notes that it is clearly distinct from the claims of the present invention.

In conclusion, Applicant submits that the claims are allowable over the cited art. After reviewing this Response, it may be helpful for the undersigned and the Examiner to see if any remaining issues can be quickly resolved.

A 2-month extension of time is requested for this Response.

Please charge all applicable fees associated with the submittal of this Response, and any other fees applicable to this Application, to the Assignee's Deposit Account No. 07-0868.

Respectfully submitted,


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